

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

OFFICE OF THE ATTORNEY GENERAL FOR THE
STATE OF NEW MEXICO, FIRST JUDICIAL
DISTRICT ATTORNEY'S OFFICE, LAW OFFICES
OF THE PUBLIC DEFENDER, NEW MEXICO
FAITH COALITION FOR IMMIGRANT JUSTICE,
ENLACE COMUNITARIO, and EL CENTRO DE
IGUALDAD Y DERECHOS,

Plaintiffs,

v.

No. 1:20-cv-00730-LF-JFR

U.S. IMMIGRATION AND CUSTOMS
ENFORCEMENT; TAE D. JOHNSON in his official
capacity as Acting Director; COREY PRICE, in his
official capacity as Director of the El Paso Immigration
and Customs Enforcement Field Office; U.S.
DEPARTMENT OF HOMELAND SECURITY; and
ALEJANDRO MAYORKAS, Secretary of Homeland
Security,

Defendants.

JOINT STATUS REPORT REGARDING STAY OF PROCEEDINGS (DOC. 32)

On February 12, 2021, this Court vacated the hearing on Defendants' Motion to Dismiss (Doc. 10) and stayed the proceedings for 120 days to allow the parties to evaluate potential modifications of existing policy that could affect some or all of the issues raised in this litigation. *See* Doc. 32.

Plaintiffs' claims in this case all challenge U.S. Immigration and Customs Enforcement ("ICE") Directive No. 11072.1, entitled "Civil Immigration Enforcement Actions Inside Courthouses" (the "Directive"). *See* Doc. 1. On April 27, 2021, ICE and U.S. Customs and Border Protection ("CBP") issued a memorandum revoking the Directive and replacing it with interim guidance regarding civil courthouse arrests. *See* Memorandum from ICE Acting Director Johnson and CBP Acting Commissioner Miller to ICE and CBP, Civil Immigration

Enforcement Actions in or near Courthouses (Apr. 27, 2021), *available at* <https://www.cbp.gov/sites/default/files/assets/documents/2021-Apr/Enforcement-Actions-in-Courthouses-04-26-21.pdf> (last visited June 8, 2021) (the “Memorandum”). The Memorandum strictly limits the circumstances under which ICE or CBP will conduct civil courthouse arrests.

The parties are still discussing the impact of the Memorandum on this litigation and anticipate needing up to thirty (30) additional days to complete these discussions. The parties respectfully request that the Court continue the stay for an additional thirty (30) days or, in the alternative, wait to reset the hearing on the Motion to Dismiss until after the parties file another joint status report.

Respectfully submitted,

Dated: June 8, 2021

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